

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JANNET VILLAR ALVAREZ, *individually*
and on behalf of others similarly situated,

Plaintiff,

v.

ANTOJITOS FOOD SUPPLY COMPANY
(DBA ANTOJITOS FOOD SUPPLY)
YUDELCA BATISTA and JOEL DIAZ

Defendants.

ORDER

22 Civ. 2815 (PGG) (OTW)

PAUL G. GARDEPHE, U.S.D.J.:

WHEREAS Plaintiff commenced this action on April 5, 2022 by filing the Complaint (Dkt. No. 1);

WHEREAS Plaintiff served Defendant Antojitos Food Supply Company (“Antojitos”) on May 3, 2022 (Dkt. No. 10), and Defendants Yudelca Batista and Joel Diaz on May 12, 2022 (Dkt. Nos. 12-13);

WHEREAS no Defendant has filed an answer, responded to the Complaint, or appeared in this action;

WHEREAS Plaintiff moved by order to show cause for a default judgment, (Dkt. No. 34);

WHEREAS this Court ordered Defendants to show cause on December 13, 2022 why a default judgment should not be entered against them (Dkt. No. 34);

WHEREAS Plaintiff served the Order to Show Cause on the Defendants on December 14, 2022 (Dkt. No. 46);

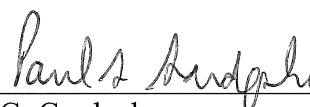
WHEREAS Defendants filed no opposition to Plaintiff's motion for a default judgment and did not appear at the December 22, 2022 hearing;

IT IS HEREBY ORDERED that an order of default is entered against all Defendants.

IT IS FURTHER ORDERED that this matter is referred to Magistrate Judge Wang for a report and recommendation regarding Plaintiff's request for damages, attorneys' fees, and costs. The Clerk of Court is directed not to close this case.

Dated: New York, New York
December 22, 2022

SO ORDERED.



Paul G. Gardephe
United States District Judge